

following: Representatives Dingell, Waxman, Wyden, Lent, and Madigan.

Page 29200

Subsequently, conferees received permission to have until midnight on Tuesday, October 11, to file the conference report on H.R. 3361.

Page 29200

**Late Report:** Conferees received permission to have until midnight tonight to file a conference report on H.R. 1807, to amend the Small Business Act to reform the Capital Ownership Development Program.

Pages 29200, 29207

**Adjournment:** Met at 10 a.m. and adjourned at 11:12 a.m.

## Committee Meetings

### CONVENTIONAL STABILITY IN EUROPE

*Committee on Armed Services:* Defense Policy Panel concluded hearings on conventional stability in Europe. Testimony was heard from Stephen D. Biddle, Institute for Defense Analysis; and a public witness.

### AFFORDABILITY AND AVAILABILITY OF AUTOMOBILE INSURANCE

*Committee on Energy and Commerce:* Subcommittee on Commerce, Consumer Protection and Competitiveness concluded hearings on affordability and availability of auto insurance with emphasis on the Involuntary Market. Testimony was heard from E. Susan Kellogg, Commissioner of Insurance, State of Maryland; Roger Langley, Senior Deputy Commissioner, State of North Carolina; Richard Hsia, Deputy Superintendent of Insurance, Insurance Department, State of New York; and public witnesses.

## Joint Meetings

### SEPTEMBER EMPLOYMENT STATISTICS

*Joint Economic Committee:* Committee held hearings to review the employment/unemployment statistics for September, receiving testimony from Janet L. Nor-

wood, Commissioner, Bureau of Labor Statistics, Department of Labor.

Committee recessed subject to call.

## OCEAN DUMPING REFORM

*Conferees* agreed to file a conference report on the differences between the Senate- and House-passed version of S. 2030, to amend the Marine Protection, Research, and Sanctuaries Act.

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*Tuesday, October 11, 1988*

## Senate

### Chamber Action

*Routine Proceedings, pages 29694-29860*

**Measures Introduced:** Two bills and three resolutions were introduced, as follows: S. 2879-2880, S.J. Res. 394, and S. Res. 493-494.

Page 29797

**Measures Reported:** Reports were made as follows:

S. 2047, to require a health warning on the labels of all alcoholic beverage containers, with an amendment in the nature of a substitute. (S. Rept. No. 100-596)

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**Measures Passed:**

*Clinical Laboratories Standards Act:* Senate passed H.R. 5471, to amend the Public Service Act, to revise the authority for the regulation of clinical laboratories.

H.R. 5150 and S. 2477 companion measures, were indefinitely postponed.

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*Lewis and Clark National Historic Site in the State of Montana:* Senate passed S. 1704, to authorize the establishment of the Lewis and Clark National Historic Site in the State of Montana, after agreeing to a committee amendment in the nature of a substitute.

Page 29841

*Relief of Town of Neibart, Montana:* Senate passed S. 2457, to transfer certain lands in the State of Montana and to relieve the town of Niehart, Montana, of any obligation to pay consideration for

lands conveyed to it under authority of the Small Tracts Act.

Page 29841

**Land Acquisition—Canaveral National Seashore:** Senate passed H.R. 3559, to authorize and direct the acquisition of lands for Canaveral National Seashore.

Page 29842

**Public Lands Management—Michigan:** Senate passed H.R. 4375, to improve the management of certain public lands in the State of Michigan.

Page 29842

**Dominick V. Daniels Postal Facility:** Senate passed H.R. 2985, to designate the facility of the United States Postal Service located at 850 Newark Turnpike in Kearny, New Jersey, as the "Dominick V. Daniels Postal Facility".

Page 29842

**Archeological Resources Protection Act:** Senate passed S. 1985, to improve the protection and management of archeological resources on federal land.

Page 29842

**Federal Mining Rights:** Senate passed S. 2264, to authorize the Secretary of the Interior to exchange certain Federal mining rights for certain lands in New Mexico, after agreeing to a committee amendment in the nature of a substitute.

Page 29843

**Poverty Point National Monument:** Senate passed H.R. 775, to provide for the establishment of the Poverty Point National Monument.

Page 29844

**Sipsey River and Alabama Wilderness:** Senate passed H.R. 5395, to designate the Sipsey River as a component of the National Wild and Scenic Rivers System, to designate certain areas as additions to the Sipsey Wilderness, to designate certain areas as conditions to the Cheaha Wilderness, and to preserve over thirty thousand acres of pristine natural treasures in the Bankhead National Forest for the aesthetic and recreational benefit of future generations of Alabamians.

Page 29844

**Private Land Claim—Sumter County, Alabama:** The Committee on Energy and Natural Resources was discharged from the further consideration of H.R. 5059, to quiet title and possession with respect to a certain private land claim in Sumter County, Alabama, and the measure was then passed.

S. 2586, companion measure, was indefinitely postponed.

Page 29845

**Egg Research and Consumer Information Act:** Senate passed H.R. 5318, to amend the Egg Research and Consumer Information Act to limit the total costs that may be incurred by the Egg Board in

collecting producer assessments and having administrative staff, to eliminate egg producer refunds, and to delay the conducting of any referendum by egg producers on the elimination of such refunds.

Page 29845

**Antietam National Battlefield:** The Committee on Energy and Natural Resources was discharged from the further consideration of H.R. 4554, to remove certain restrictions on land acquisitions for Antietam National Battlefield, and the measure was then passed.

S. 2565, companion measure, was indefinitely postponed.

Page 29845

**Zuni-Cibola National Historical Park—New Mexico:** Senate passed H.R. 4182, to authorize the establishment of the Zuni-Cibola National Historical Park in the State of New Mexico, after agreeing to an amendment proposed thereto, as follows:

Byrd (for Bingaman) Amendment No. 3659, in the nature of a substitute.

Page 29845

**Private Relief:** The Committee on Government Affairs was discharged from the further consideration of H.R. 1864, for the relief of Helen Lannier, and the measure was then passed.

Page 29848

**Women's Business Ownership Act of 1988:** Senate Passed H.R. 5050, to amend the Small Business Act, to establish programs and initiate efforts to assist the development of small business concerns owned and controlled by women, after agreeing to an amendment proposed thereto, as follows:

Byrd (for Bumpers) Amendment No. 3660, in the nature of a substitute.

Page 29848

**Directing Senate Legal Counsel:** Senate agreed to S. Res. 494, to authorize representation by the Senate Legal Counsel in the case of *Springfield Terminal Railway Co. v. United Transportation Union and National Mediation Board*, No. 88-117 P, pending in the United States District Court for the District of Maine.

Page 29858

**Technical Corrections Act of 1988:** By 87 yeas to 1 nay (Vote No. 366), Senate passed H.R. 4333, to make technical corrections relating to the Tax Reform Act of 1986, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2238, Senate companion measure, after agreeing to a committee amendment in the nature of a substitute and taking action on additional amendments proposed thereto, as follows:

Page 29705

Adopted:

(1) Graham modified Amendment No. 3639, providing for partnership reporting of unrelated business taxable income, and relating to estates of non-residents who are not citizens but have citizens as spouses.

Page 29774

(2) Hatch modified Amendment No. 3641, to express the sense of the Senate that the tax laws of the United States should provide for a deductibility of all or part of the costs of adopting a child.

Page 29721

(3) Baucus-Packwood Amendment No. 3642, of a technical and clarifying nature.

Page 29772

(4) Metzenbaum Amendment No. 3643, to sunset two treaty provisions relating to special relief with respect to insurance excise taxes.

Page 29741

(5) By unanimous vote of 87 yeas (Vote No. 364), Pell-Helms Amendment No. 3645, to mandate United States sanctions against Iraq because of its use of chemical weapons in violation of international law.

Pages 29744, 29746, 29758

(6) Melcher modified Amendment No. 3650, to amend the Internal Revenue Code of 1986, to restore income averaging for farmers.

Page 29759

(7) By 87 yeas to 1 nay (Vote No. 365), Daschle Amendment No. 3652 (to Amendment No. 3650, of a perfecting nature, to amend the Internal Revenue Code of 1986, to include payments under title II of the Disaster Assistance Act of 1988 in the special rule for taxable year of inclusion and to treat property transferred in trust to a spouse who is not a citizen of the United States.

Page 29762

(8) Packwood (for Wilson) Amendment No. 3653, to refine the capital gains exclusion for the sale of a principal residence by an individual over the age of 55 so as to allow such exclusion to be available to disabled individuals.

Page 29766

(9) Bingaman-Domenici Amendment No. 3612, to disregard amount of bonds issued on behalf of a bond bank or dedicated bond pool in determining if issuer qualifies for small issuers exception to arbitrage rules.

Page 29767

(10) Metzenbaum Amendment No. 3654, to provide that a State may treat a person who renders dependent care or similar service as other than an employee for employment tax purposes are satisfied with respect to such person for such applicable period.

Page 29768

(11) Riegle Amendment No. 3655, relating to the application of State prepaid tuition plans.

Page 29769

(12) Baucus (for Ford and Helms) Amendment No. 3656, to provide that the Secretary of the Treasury or his delegate, in consultation with the Secretary of Health and Human Services, shall conduct a study on health care costs resulting from smoking.

Page 29770

#### Rejected:

(1) Bradley Amendment No. 3640, to increase the earned income credit and strike provisions reducing Federal revenue. (By 85 yeas to 2 nays (Vote No. 362), Senate tabled the amendment.)

Pages 29710, 29722

(2) Bradley Amendment No. 3644, to establish a trust fund to finance the anti-substance abuse legislation, to fund such trust fund with revenues raised by this bill, and to provide that certain provisions of the bill not take effect. (By 82 yeas to 5 nays (Vote No. 363), Senate tabled the amendment.)

Pages 29742, 29746

#### Withdrawn:

(1) Stevens Amendment No. 3624, relating to certain employer/employee trusts pursuant to collective bargaining agreements.

Page 29709

(2) McClure Amendment No. 3646, to extend for 2 years the date by which hydroelectric projects must be placed in service if such projects were delayed in order to comply with certain Federal laws.

Page 29750

(3) Dole-Daschle Amendment No. 3651 (to Amendment No. 3650), of a perfecting nature, to amend the Internal Revenue Code of 1986, to include payments under title II of the Disaster Assistance Act of 1988, in the special rule for taxable year of inclusion and to treat property transferred in trust to a spouse who is not a citizen of the United States.

Page 29760

(4) Simpson Amendment No. 3657, to except certain charitable contributions for the imposition of alternative minimum tax.

Page 29771

Senate insisted on its amendments, requested a conference with the House thereon, and appointed as conferees, Senators Bentsen, Matsunaga, Moynihan, Baucus, Boren, Packwood, Dole, Roth and Danforth.

Page 29792

S. 2238, Senate companion measure, was subsequently indefinitely postponed.

Page 29792

#### Passage Vitiating:

*Gus J. Solomon United States Courthouse:* Senate passed H.R. 5007, to designate the United States Courthouse at 620 Southwest Main Street, Portland, Oregon, as the "Gus J. Solomon United States Courthouse," after agreeing to an amendment proposed thereto, as follows:



Stevens (for Domenici) Amendment No. 3658, to allow States, at their discretion, to use highway trust fund appropriations for on-the-job training programs.

This action was subsequently vitiated and the measure was returned to the calendar.

Page 29845

**Indefinitely Postponed:** The following measures were indefinitely postponed:

**Aztec Ruins National Monument—New Mexico:** S. 2617, to revise the boundary of Aztec Ruins National Monument in the State of New Mexico, with a committee amendment.

Page 29845

**Warm Springs Study Act of 1988:** S. 2767, to authorize a study of the history and culture of Warm Springs, New Mexico, in order to preserve its historic and cultural legacy for future generations.

Page 29845

**Fair Credit and Charge Card Disclosure Act—Conference Report:** Senate agreed to the conference report on H.R. 515, to provide for more detailed and uniform disclosure by credit and charge card issuers with respect to information relating to interest rates and other fees which may be incurred by consumers through the use of any credit or charge card.

Page 29852

**Federal Energy Management Improvement Act:** Senate concurred in the amendment of the House to S. 1382, to amend the National Energy Conservation Policy Act, to improve the Federal Energy Management Program, with an amendment thereto, as follows:

Page 29854

Stevens (for Dole) Amendment No. 3661, to provide civil penalties for the manufacturing, entering into commerce or transporting of imitation firearms which do not have markings to make them readily identifiable.

Page 29856

**Colorado River Storage Project:** Senate concurred in the amendments of the House to the Senate amendment to H.R. 3408, to increase the amounts authorized for the Colorado River Storage Project, with amendments thereto, as follows:

(1) Stevens (for Garn) Amendment No. 3662, to strike section 7.

Page 29859

(2) Byrd (for Johnston) Amendment No. 3663, of a technical nature.

Page 29859

**Defense Authorizations, 1989—Conference Report—Agreement:** A unanimous-consent agreement was reached providing for the consideration of the conference report on S. 2749, to authorize funds for fiscal year 1989 for military activities of the De-

partment of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal years for the Armed Forces.

Page 29834

**Message From the President—Veto Message:** Senate received a message from the President of the United States, returning without his approval S. 1259, to grant a right of access across a portion of Buffalo National River Park to a landowner whose property is adjacent to the park, which was ordered held at the desk by unanimous consent, pending further disposition.

Pages 29794, 29840

**Nominations Received:** Senate received the following nominations:

Gregory S. Dole, of Massachusetts, to be an Assistant Secretary of Transportation.

Harold K. Phillips, of California, to be a Member of the Board of Directors of the Inter-American Foundation.

A routine list of Air Force nominations.

Page 29859

**Nomination Withdrawn:** Senate received notification of the withdrawal of the nomination of Col. William J. Edwards for promotion to the permanent grade of brigadier general.

Page 29860

**Nominations Confirmed:** Senate confirmed the following nominations:

Eric H. Holder, Jr., of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia.

Mildred M. Edwards, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia.

John D. Davenport, of Oklahoma, to be a Member of the Federal Retirement Thrift Investment Board.

Stephen E. Bell, of Virginia, to be a Member of the Federal Retirement Thrift Investment Board.

James H. Atkins, of Arkansas, to be a Member of the Federal Retirement Thrift Investment Board.

Bert H. Mackie, of Oklahoma, to be a Governor of the United States Postal Service.

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**Messages From the President:**

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**Messages From the House:**

Page 29795

**Petitions and Memorials:**

Page 29795

**Communications:**

Page 29795

**Statements on Introduced Bills:**

Page 29797

**Amendments Submitted:**

Page 29800

**Additional Cosponsors:**

Page 29799

**Authority for Committees:**

Page 29820

**Additional Statements:**

Page 29820

**Record Votes:** Five record votes were taken today. (Total-366)

Pages 29722, 29746, 29758, 29766, 29792

**Adjournment:** Senate convened at 9 a.m., and adjourned at 9:08 p.m., until 10 a.m., on Wednesday, October 12, 1988.

**Committee Meetings****NOMINATION**

**Committee on Armed Services:** Committee concluded hearings on the nomination of Karen R. Keesling, of Virginia, to be an Assistant Secretary of the Air Force of Manpower and Reserve Affairs, after the nominee testified and answered questions in her own behalf.

**NUCLEAR LABORATORY TESTING**

**Committee on Governmental Affairs:** Committee held hearings to examine security weaknesses at nuclear weapons laboratories, receiving testimony from Keith O. Fultz, Senior Associate Director, Mary Ann Kruslicky, Group Director, and John R. Schulze, Evaluator-in-Charge, all of the General Accounting Office; and Richard A. Du Val, Deputy Assistant Secretary for Operations, Office of Defense Programs, and Richard Williamson, Acting Deputy Assistant Secretary for International Affairs, Office of International Affairs and Energy Emergencies, both of the Department of Energy.

Hearings were recessed subject to call.

**House of Representatives****Chamber Action**

**Bills Introduced:** 4 public bills, H.R. 5496-5499, were introduced.

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**Reports Filed:** Reports were filed as follows:

Conference report on S. 2749, to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed Forces (H. Rept. 100-1071);

Conference report on S. 1630, to provide for retirement and survivors' annuities for bankruptcy judges and magistrates (H. Rept. 100-1072);

H.R. 1769, to establish a Minority Business Development Administration in the Department of Commerce, and to clarify the relationship between such Administration and the Small Business Administration, amended (H. Rept. 100-1073); and

H.R. 2693, to require asbestos manufacturers to submit information on their asbestos products to the Environmental Protection Agency and to require owners of buildings containing asbestos to inspect the buildings and take samples of asbestos or asbestos-containing materials before commencing civil actions relating to asbestos, amended (H. Rept. 100-1074).

Page 29693

**Committee Resignation:** Read and accepted a letter from Representative Solarz wherein he resigns as a member of the Committee on Post Office and Civil Service.

Page 29674

**Southern California Indian Land Transfer:** The Speaker appointed as conferees in the conference on H.R. 3621, to declare that certain lands located in California and held by the Secretary of the Interior are lands held in trust for the benefit of certain bands of Indians and to declare such lands to be part of the reservation with which they are contiguous, the following: Representatives Udall, Richardson, and Young of Alaska.

Page 29674

**Quorum Calls—Votes:** No quorum calls or votes developed during the proceedings of the House today.

**Adjournment:** Met at noon and adjourned at 2:29 p.m.

**Committee Meetings**

No committee meetings were held.

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**Wednesday, October 12, 1988****Senate****Chamber Action**

**Routine Proceedings, pages 29871-29978**

**Measures Introduced:** Five bills and two resolutions were introduced, as follows: S. 2881-2885, and S. Res. 495-496.

Page 29951

**Measures Passed:**

**National Forests and Public Lands of Nevada Enhancement Act:** Senate passed S. 59, the "National Forests and Public Lands of Nevada Enhancement Act of 1987," after agreeing to a committee amendment in the nature of a substitute and amendments proposed thereto, as follows:

Page 29922